

MINUTES
TOWN OF FREDERICK
BOARD OF TRUSTEES
Frederick Town Hall
February 9, 2010
7:00 p.m.

Attendance: Mayor Eric Doering, Trustees Gerry Pfirsch, Tony Carey, Liberta Hattel, Jim Wollack and Amy Schiers. Also present were Town Administrator Derek Todd, Town Attorney Rick Samson, Town Clerk Nanette Fornof, Town Engineer Dick Leffler, Police Chief Gary Barbour, and Planning Director Jennifer Simmons. Audience was also present.

ROLL CALL Mayor Doering called the regular meeting to order at 7:00 p.m.; role call was taken and all Trustees were present except Mayor Pro Tem Wedel.

PLEDGE OF ALLEGIANCE Mayor Doering led the audience in the Pledge of Allegiance.

ADDITIONS OR DELETIONS TO THE AGENDA There were no additions or deletions to the agenda.

PUBLIC COMMENT No one had signed up for Public Comment.

STAFF REPORTS

Administrative Report Town Administrator, Derek Todd, provided the Board with the Administrative Report which highlighted the following items: Community Survey and Upcoming Board of Trustee Work Sessions. The Finance and Human Resources Department provided information regarding a Recruitment Update, Personnel Benefits and Utility Billing. The Planning Department provided information regarding the Aeration at Milavec Lake and Parks, Open Space and Trails(POST) Master Plan RFP. The Police Department provided information about Enforcement Activity and Traffic Emphasis.

Town Attorney Report Town Attorney Rick Samson provided the Board of Trustees with a written Status Report and additional information regarding litigation between the Town of Frederick and the Town of Erie. The Town of Erie has requested oral arguments before the Court of Appeals.

Samson also stated he has received a counter offer from one of the Oil and Gas Companies and will provide an update at the February 23rd, Board meeting.

ACTION AGENDA

AM 2010-013, To Authorize the Issuance of the Notice of Award to the Lowest Responsible Bidder for the Boulder-Weld Ditch Crossing Replacement on Aggregate Boulevard (WCR 7) There was concern regarding an area of subsidence along Aggregate

Boulevard during the summer of 2009. Further investigation revealed the culvert at the Boulder-Weld Ditch Crossing was collapsing. Steel street plates and subsequent asphalt patches were applied as an interim solution to keep Aggregate Boulevard functioning until the end of the irrigation season. This project will replace the existing failed corrugated metal culvert with a reinforced concrete culvert and extend the crossing to the ultimate width of Aggregate Boulevard. Motion by Trustee Carey to authorize the Town Engineer to issue the Notice of Award to Defalco, bid amount being \$39,741 and to authorize the Mayor to sign the Agreement with Defalco upon the completion of all requirements listed in the Notice of Award and as specified in the Contract Bid Documents for the Boulder Weld Ditch Crossing Replacement on Weld County Road 7 Project. Trustee Wollack seconded the motion and motion carried unanimously.

AM 2010-016, To Consider the Lease Agreement for the Property at 318 Fourth Street the Town owns the property at 318 4th Street which has been leased since March 1, 2009. The current lease amount is \$14,100 annually or \$1,175 monthly. The current lessee is requesting to reduce the rental rate to \$13,200 annually, \$1,100 monthly. The property would then continue to be used as a retail store with an accessory dwelling unit. Motion by Trustee Carey to approve the Lease Agreement between the Town of Frederick and Georgene Pulz, in the amount of \$13,200 annually/\$1,100 monthly and to remove line item 9e from the Lease Agreement, Trustee Hattel seconded the motion and motion carried unanimously.

AM 2010-014, To Approve Payment for Registration of the Town of Frederick as a Participant in the Relay for Life and to Determine the Level of Sponsorship that the Town will Provide Sabrina McDaniel representative from Relay for Life was available for questions. The Town of Frederick has participated in the Carbon Valley Relay for Life since the first local event in 2006. The Carbon Valley Relay for Life is an annual event of the American Cancer Society. The event honor the survivors of various types of cancer, commemorates many who didn't survive and provides an opportunity for community solidarity in the fight against cancer. Staff is requesting the Town of Frederick sponsor a team for the event and to provide direction on what level, if any, the Town would like to be a sponsor of the event. Motion by Trustee Pfirsch to sponsor a Town of Frederick team for the cost of \$50 and to sponsor the event at the Platinum level of \$1,000, motion was then seconded by Trustee Hattel; motion carried unanimously.

CONSENT AGENDA

Motion by Trustee Carey, seconded by Trustee Pfirsch to approve the Consent Agenda with the following items; Approval of the List of Warrants for February 9, 2010, AM 2010-015, Intergovernmental Agreement Between the Town of Frederick and St. Vrain Valley School District RE-1J for a Joint School Resource Officer Program, Approval of the January 19, 2010, Special Board Meeting Minutes and January 26, 2010, Regular Board Meeting Minutes. Motion carried unanimously.

MAYOR AND BOARD REPORTS

Trustee Carey indicated he had received additional important information, which affects the out come of the adoption of Resolution 10R010. Motion by Trustee Carey to reconsider Resolution 10R010, Trustee Pfirsch seconded the motion, prior to the role call vote, Town Attorney Rick Samson indicated the matter should be discussed in Executive Session. Trustee Carey then made a motion to table the reconsideration of Resolution 10R010, in an executive session on February 16, 2010, 4p.m. The motion was then seconded by Trustee Pfirsch, motion carried unanimously.

Trustee Hattel provided information regarding water shut off issues. There was discussion regarding the situation and the Board requested staff provide different options which might help remedy this matter. The Board mentioned a few recommendations such as door hangers, additional fees to have the water turned on same day and hiring a part-time person to help with the process. More information will be provided at the February 16, 2010, Work Session.

Trustee Pfirsch – provided information about the CML Newly Elected Official's workshop, and the pothole on Frederick Way completed repairs.

Trustee Schiers had nothing to report.

Trustee Wollack had nothing to report.

Mayor Doering thanked those who have participated in the "Seeking to Building Community" events.

There being no further discussion, Mayor Doering closed the regular meeting at 7:42p.m.

Nanette S. Fornof, Town Clerk

Approved by the Board of Trustees

Eric E. Doering, Mayor